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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,725	03/28/2006	Jeffrey Chapin	19350-105074	2236

7590 11/15/2007  
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EXAMINER
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GRAMLING, SEAN P

ART UNIT	PAPER NUMBER
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2875

MAIL DATE	DELIVERY MODE
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11/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/573,725

Applicant(s)

CHAPIN ET AL.

Examiner

Sean P. Gramling

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Amendment*

1. Acknowledgment is made of Amendment filed August 27, 2007. Claim 1 has been amended, claim 7 has been added, and claims 3 and 6 have been cancelled. Claims 1-2, 4-5 and 7 are pending.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2, 4-5 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cibie Projecteurs* (FR 2424157).
4. Regarding claims 1 and 5, *Cibie* discloses a housing (B); a first reflector (MR) pivotally secured to the housing; a second reflector (MC) pivotally secured to the housing; and a connecting bar (V2) including a spherical ball end S2 pivotally secured to the first reflector and an opposing end pivotally secured to the second reflector (see primary Figure). In the Figure, reference letter F represents light beams, which inherently requires the presence of a light source to generate the beams that are eventually directed by reflectors (MR) and (MC). The opposite end of the connector bar (V2) in *Cibie* does not form a hinge clip and the second reflector (MC) does not form a hinge pin to receive the hinge clip. Rather, the other end of the connecting bar is

threaded and is secured to the second reflector (MC) by insertion into a nut (E). Thus, the second reflector (MC) in *Cibie* forms a nut (E) instead of a hinge pin in order to secure the other end of the connecting bar (V2) to the second reflector (MC). It would have been obvious to one of ordinary skill in the art at the time the invention was made to form a hinge clip at one of the connecting bar (V2) (instead of threads) and to attach it to a hinge pin (instead of a nut) on the second reflector (MC) in order to avoid the use of a screwdriver when securing the connecting bar (V2) to the second reflector (MC).

5. Regarding claim 2, *Cibie* discloses an adjustment mechanism (V1) extending between the housing and the second reflector (MC) for simultaneously adjusting the reflectors and cooperatively aiming the light beams.

6. Regarding claim 4, the first reflector (MR) in *Cibie* includes a connecting bar mount (CS2) for receiving the spherical ball (S2) that is formed at one end of the connecting bar (V2).

7. Regarding claim 7, *Cibie* discloses a housing (B); a first reflector (MR) pivotally secured to the housing to rotate about a first rotation axis; a second reflector (MC) pivotally secured to the housing to rotate about a second rotation axis; and a connecting bar (V2) including a spherical ball end S2 pivotally secured to the first reflector and an opposing end pivotally secured to the second reflector (see primary Figure). In the Figure, reference letter F represents light beams, which inherently requires the presence of a light source to generate the beams that are eventually directed by reflectors (MR) and (MC). The opposite end of the connector bar (V2) in *Cibie* does not form a hinge clip and the second reflector (MC) does not form a hinge pin to receive the

hinge clip. Rather, the other end of the connecting bar is threaded and is secured to the second reflector (MC) by insertion into a nut (E). Thus, the second reflector (MC) in *Cibie* forms a nut (E) instead of a hinge pin in order to secure the other end of the connecting bar (V2) to the second reflector (MC). It would have been obvious to one of ordinary skill in the art at the time the invention was made to form a hinge clip at one of the connecting bar (V2) (instead of threads) and to attach it to a hinge pin (instead of a nut) on the second reflector (MC) in order to avoid the use of a screwdriver when securing the connecting bar (V2) to the second reflector (MC).

### ***Response to Arguments***

8. Applicant's arguments filed August 27, 2007 have been fully considered but they are not persuasive. The primary purpose of the threaded connecting bar (V2) and the nut (E) in *Cibie* is to provide a means to tightly link the first reflector (MR) to the second reflector (MC) so that the adjusting mechanism (V1) can simultaneously rotate both reflectors about two separate rotation axes. It is only an ancillary function of the connecting bar (V2) and nut (E) that the connecting bar can be adjusted with a screwdriver to allow for movement of the first reflector (MR) relative to the second reflector (MC). Examiner therefore contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to form a hinge clip at one of the connecting bar (V2) (instead of threads) and to attach it to a hinge pin (instead of a nut) on the second reflector (MC) in order avoid the use of a screwdriver when securing the connecting bar (V2) to the second reflector (MC).

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean P. Gramling whose telephone number is (571) 272-9082. The examiner can normally be reached on MONDAY-FRIDAY 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*S.P.G.*

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Sean P Gramling  
Examiner  
Art Unit 2875

  
Sandra O'Shea  
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